

RECEIVED CENTRAL FAX CENTER

FEB 1 8 2009

Legal Department Milliken & Company 920 Milliken Road (M-495) P.O. Box 1926 Spartanburg, SC 29304

Fax

Examiner: Singh, Arti R.

To: USPTO

PO Box 1450

Alexandria, VA 22313-1450

8645031999

From:

Cheryl J. Brickey

Fax:

571-273-8300

Fax:

(864) 503-1999

Phone:

37 1-273-0300

Phone:

(864) 503-1540

Application of Li et al. Serial Number: 09/501,467 Filed: February 09, 2000

Group Art Unit: 1794

Subject: Case No.: 2129

Title: LOW PERMEABILITY AIRBAG

CUSHIONS HAVING EXTREMELY

LOW COATING LEVELS

Date:

Wednesday, February 18, 2009

U.S. PTO Customer No. 25280

Copies:

Pages:

2 , including cover

Comments:

This transmittal contains:

• Terminal Disclaimer to Obviate a Double Patenting Rejection Over a "Prior" Patent. 1 page

Confidentiality Notice:

ŧ

Privileged/Confidential information may be contained in this facsimile and is intended only for the use of the addressee. If you are not the addressee, or the person responsible for delivering this facsimile to the addressee, you may not copy or deliver it to anyone else. If you receive this facsimile by mistake, please notify us immediately by telephone. Thank you.

8645031999

RECEIVED CENTRAL FAX CENTER

FEB 1 8 2009

PTO/\$8/28 (09-06)

Approved for use through 03/31/2007, OMB 0661-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid QMB control number. Docket Number (Optional) TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING 2129 REJECTION OVER A "PRIOR" PATENT In re Application of: Li et al. Application No.: 09/501,467 Filed: February 9, 2000 For: Low Permeability Airbag Cushions Having Extremely Low Coating Levela The owner, MILLIKEN & COMPANY percent interest in the instant application hereby disclaims, 100 except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 5,945,186 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of sald prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for end during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invelid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. Check either box 1 or 2 below, if appropriate. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements end the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent Issued thereon. 2. The undersigned is an attorney or agent of record. Reg. No. 58,891 Cheryl J. Brickey Typed or printed name 884-503-1540 Telephone Number Terminal disclaimer fee under 37 CFR 1.20(d) Included. Please charge fee under 37 CFR 1.20 (d) to USPTO Deposit Account 04-0500. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 GFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 GFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).

Form PTO/SB/96 may be used for making this certification. See MPEP § 324.